



Entered on Docket  
August 09, 2007

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:  
USA COMMERCIAL MORTGAGE  
COMPANY,  
USA CAPITAL REALTY ADVISORS,  
LLC,  
USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,  
USA CAPITAL FIRST TRUST DEED  
FUND, LLC,  
USA SECURITIES, LLC,  
Debtors.

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

**CHAPTER 11**

Jointly Administered Under Case No. BK-S-06-10725 LBR

Date: April 26, 2007  
Time: 9:30 a.m

**Affecting:**

☐ All Cases

**or Only:**

- ☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

**ORDER SUSTAINING NINETEENTH OMNIBUS OBJECTION OF THE USACM LIQUIDATING TRUST TO CLAIMS ASSERTING SECURED STATUS EXCEPT PROOF OF CLAIM NOS. 10725-00615, 10725-00616, 10725-00617, 10725-00647, 10725-00648, 10725-00649, 10725-00676-1, 10725-00676-2, 10725-00699, 10725-00722, 10725-00756, 10725-00766, 10725-00797, 10725-00798, 10725-01028, 10725-01029, 10725-01037, 10725-01634, 10725-01635, 10725-01636, 10725-01637, AND 10725-01905 FILED BY MARCIA J. KNOX AND PROOF OF CLAIM NO. 10725-02308 FILED BY LEO MANTAS**

The USACM Liquidating Trust (the “USACM Trust”) filed its Nineteenth Omnibus Objection to Claims Asserting Secured Status [DE 3170] (the “Objection”) on March 20, 2007. Appropriate notice of the Objection was given. Responses to the Objection were filed with the Court as follows:

- Opposition filed by Marcia J. Knox [DE 3488] regarding Claim Nos. 10725-00615, 10725-00616, 10725-00617, 10725-00647, 10725-00648, 10725-00649, 10725-00676-1, 10725-00676-2, 10725-00699, 10725-00722, 10725-00756, 10725-00766, 10725-00797, 10725-00798, 10725-01028, 10725-01029, 10725-01037, 10725-01634, 10725-01635, 10725-01636, 10725-01637, and 10725-01905. Counsel filed a motion for summary judgment as to these claims on July 30, 2007 [DE 4291]. Counsel deleted Ms. Knox’s claims from the Exhibit to the Nineteenth Omnibus Objection attached to this Order.

- Opposition filed by Leo Mantas of the Mantas Group [DE 3507] pertaining to Claim No. 10725-02308. An Order Approving Stipulation with counsel allowing the claim as an unsecured claim, albeit subject to further objection, was signed by this Court on June 4, 2007 [DE 3887]. Counsel deleted Leo Mantas’s claim from the exhibit to the Nineteenth Omnibus Objection attached to this Order.

No other responses were filed with this Court. The Objection came before the Court for hearing on April 26, 2007 at 9:30 a.m. Good cause appearing, it is

**ORDERED:**

- Sustaining the USACM Trust’s Nineteenth Omnibus Objection to Claims Asserting Secured Status;

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**LEWIS AND ROCA LLP**

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APPROVED/DISAPPROVED

APPROVED/DISAPPROVED

**BOLICK & BOYER**

By: \_\_\_\_\_

Marcia J. Knox Trustee for the  
Marcia J. Knox Trust dated 8/16/04

Erven T. Nelson, NV 2332  
Attorneys for Mantas Group

Trustee for the  
Marcia J. Knox Trust  
Trust dated 8/16/04

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of LR 9021.
- ☒ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing regarding this matter and/or who filed a written objection and each has:
  - ☒ approved the form of this order;
  - ☐ waived the right to review the order;
  - ☐ failed to file and serve papers in accordance with LR 9021(c); and/or
  - ☒ failed to sign and return this proposed order within five (5) business days in accordance with LR 9021(b) (Erven T. Nelson).
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the form of the order.
- ☐ No opposition was filed and no other party or counsel appeared at the hearing.

**LEWIS AND ROCA LLP**

By: /s/ RC (#0006593)  
Susan M. Freeman  
Rob Charles  
*Attorneys for USACM Liquidating Trust*

**19th Objection to Claims Asserting Secured Status - Reclassify as General Unsecured Claims**

	<u>Claimant</u>	<u>Proof of Claim Number</u>	<u>Date Filed</u>	<u>Proof of Claim Amount</u>	<u>Proof of Claim Classification</u>
1	Louise Alport Kolberg Revocable Trust C/O Louise Alport Kolberg Ttee 5914 Onondaga Rd Bethesda, Md 20816-2036	10725-01359	11/13/2006	\$52,557.65	S U - unknown
2	Louise Kolberg Trustee Of The Louise Alport Kolberg Revocable Trust 5914 Onondaga Rd Bethesda, MD 20816	10725-02185	1/12/2007	\$50,378.00	S, U
3	Luise Teeter IRA Rollover 4201 Via Marina Ste 300 Marina Del Rey, CA 90292-5237	10725-02273	1/12/2007	\$449,261.59	S, U
4	Lukito, Hendarsin & Shu S 3009 Beaverwood Ln Silver Spring, MD 20906-3011	10725-01576	12/5/2006	\$55,000.00	S
5	Luongo Jt Ten, John M & Gloria 965 Leah Cir Reno, NV 89511	10725-01992	1/10/2007	\$153,373.00	S, U
6	Lynne E Keller 1431 Mallard Dr Carson City, NV 89701	10725-00236	9/26/2006	\$58,024.13	S, U
7	M L & Pauline Smith Family Living Trust C/O M L & Pauline Smith Trustees 3108 N Minersville Hwy Cedar City, UT 84720-5407	10725-00703	10/24/2006	\$3,080.05	S
8	Macdonald Center For The Arts & Humanities 1730 W Horzon Ridge Pkwy Henderson, NV 89012-1001	10725-01081	11/7/2006	\$1,525,000.00	S
9	Machetta, James Po Box 2242 Denver, Co 80201	10725-00455	10/5/2006	Blank	S
10	Machetta, Joseph Po Box 187 Brush, Co 80723	10725-00422	10/2/2006	Blank	S
11	Machetta, Joseph Po Box 187 Brush, Co 80723-0187	10725-00421	10/2/2006	Blank	S

12	Maguire Living Trust Dtd 8/4/00, John J & Diane M Ttees Of Maguire Living Trust 5590 San Palazzo Ct Las Vegas, NV 89141-3913	10725-00746	10/26/2006	\$53,616.90	S
13	Maguire Living Trust Dtd 8/4/00, John J & Diane M Ttees Of Maguire Living Trust 5590 San Palazzo Ct Las Vegas, NV 89141-3913	10725-00747	10/26/2006	\$53,616.90	S
14	Maheshwari, Rabinder & Usha Joshua D Brysk Law Offices Of James G Schwartz 7901 Stoneridge Dr, Ste 401 Pleasanton, CA 94583	10725-00146	8/15/2006	\$153,831.94	S
15	Maki, Marie & Raymond E 9024 Columbia St Saint John, In 46373-9345	10725-01432	11/14/2006	\$25,511.10	S
16	Maki, Marie A & Raymond E 9024 Columbia St Saint John, In 46373-9345	10725-01433	11/14/2006	\$50,830.55	S
17	Mallin Family Trust Jose Laxague Esq Cane Clark Llp 3272 E Warm Springs Las Vegas, Nv 89120	10725-00853	11/13/2006	\$233,333.33	S
18	Mamuad, Tamra 7935 Placid St Las Vegas, NV 89123-1848	10725-00480	10/6/2006	\$25,000.00	S
19	Mamula, Melissa 3318 Trickling Stream Cir Las Vegas, NV 89117	10725-00180	9/1/2006	\$25,447.92	S
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21	Manter, John 1449 Tirol Dr Incline Village, NV 89451	10725-01978	1/10/2007	\$24,800.00	S
22	Manter, John 1449 Tirol Dr Incline Village, NV 89451	10725-01981	1/10/2007	\$50,000.00	S
23	Manter, John 1449 Tirol Dr Incline Village, NV 89451-7902	10725-01975	1/10/2007	\$50,000.00	S

24	Manter, John 1449 Tirol Dr Incline Village, NV 89451-7902	10725-01979	1/10/2007	\$50,000.00	S
25	Manter, John 1835 Circle Ln Se Apt 502 Lacey, WA 98503	10725-01980	1/10/2007	\$73,262.00	S
26	Marchuk, Alexander W & Doreen W 325 Marche Chase Dr Apt 138 Eugene, OR 97401-8894	10725-00377	10/2/2006	\$75,000.00	S
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48	Marconi, Carol A 3731 Sarasota Square Blvd Apt 307 Sarasota, FL 34238-5462	10725-00542	10/10/2006	\$50,724.00	S
49	Marguerite Falkenborg Trust C/O Marguerite Falkenborg Trustee 727 3Rd Ave Chula Vista, CA 91910-5803	10725-02202	1/10/2007	\$794,366.81	S, U
50	Marguerite Falkenborg 2000 Trust Dtd 6/20/00 C/O Marguerite Falkenborg Ttee 727 3Rd Ave Chula Vista, CA 91910-5803	10725-02068	1/11/2007	\$794,366.81	S, U